



- CITY OF BIGGS -  
**PLANNING DEPARTMENT STAFF REPORT**

465 C Street /  
P.O. Box 1134  
Biggs, CA 95917

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DATE: September 20, 2010  
TO: Honorable Mayor and Members of the City Council  
FROM: Scott Friend, AICP, City Planner (contract)  
SUBJECT: Department Activity Report – August/September 2010

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**DEPARTMENT ACTIVITY SUMMARY – July / August 2010**

Contract Staff Days/Meetings:

- Monday, August 16, 2010 – Regular City Council Meeting
- Monday, September 20, 2010 – Regular City Council Meeting
- Thursday, August 26, 2010 – BCAG Planning Director's Meeting
- Correspondences/Communications/Staff Meetings – on-going

Major Projects Activity Report:

1. *General Plan Maintenance Fee:*

Staff continues to work on the preparation of General Plan Maintenance Fee study. It was staff's original intent to establish a fee based upon a building permit valuation basis. However, upon review of Butte County building permit data covering a 4-year period, it was determined that this approach was not practical as the City's building permit valuation does not support a fee capture approach based solely on permitting activity. The City's low-volume of permits makes a permit assessment approach difficult as there is a lack of data upon which to base a fee determination. Staff is currently evaluating a methodology based upon a flat-fee tied to new development requests (dwelling unit based). However, it is acknowledged here that the City's low-volume of development does not result in the capture of significant dollars. Staff is reviewing other options used by similar small-communities to evaluate and present an approach study approach. Once a reasonable sample of methodologies has been made, staff will again bring this forward for discussion and direction from the Council.

2. *General Plan Update:*

PMC submitted the General Plan Update Background Report to the City Administrator at the beginning of August. Copies have been provided to the City Council under separate cover prior to this meeting. This document will support PMC's effort in the preparation of the General Plan policy document and will provide serve as the basis for the *existing setting* narratives in the General Plan EIR upon its preparation. PMC is currently working on the administrative draft of

the General Plan policy document. Staff believes that this will be available to the Council for initial review by the end of 2010.

3. *Corporation Yard Rezoning:*

Upon adoption of the rezoning ordinance (2<sup>nd</sup> reading) by the City Council in September, the action to rezone the City's corporation yard to the M-1 Light Industrial zone district will be complete.

Monthly Department Activity Report:

1. *Butte County Building Services Contract:*

City staff is continuing to work on this issue with the County and will bring forward a copy of the draft services contract once the various staff questions and issues have been addressed. Staff has had follow-up discussion with the County about this matter however County staff has indicated that due to a reduce staff presence this is taking longer than anticipated to address. Staff will continue to push this forward towards resolution.

2. *Site Plan Reviews / Planning Services Activities:*

Planning staff have engaged in the following current planning activities during this reporting period:

- *Site Plan Reviews:* (1) – Revised submittal for SFR dwelling (R. Casey).
- *Planning Code Violations:* (1) – Illegal fence.
- *Citizen Contacts/Questions:* (6) – Fences, Carports/Structures, Building Additions, variance inquiry, code enforcement violations.

3. *Butte County Building Permit Issuance Co-ordination:*

Planning staff has worked with County Building staff to establish a process whereby the City is provided weekly updates on activities occurring within and adjacent to the incorporated City area. Staff will continue to monitor this and will provide information on building permit issuance to the City as activity occurs.

Building Permit Activity – mid-August 2010 to current:

- 1 - hot water heater
- 2 - Red Top Dryer building expansion
- 2 – HVAC change-out (residential)
- 1 – Electrical Panel (details unknown)

4. *Alternative Power Generation Project:*

Planning staff continues to work inquire on behalf of the City on the removal of property from the Williamson Act to advance a potential alternative energy production project. At the time of this writing, staff understands that County Planning Staff will be taking this forward to the County's Williamson Act Advisory Committee for recommendation to the Board of Supervisors. Specific dates for this effort are currently unknown. The City prepared and submitted a letter of support for the removal of the property from the Act (*see attached letter*).

5. *Biggs Municipal Code Amendments:*

The City Code Enforcement Officer and City Attorney continue to work on an amendment to the Biggs Municipal Code to address concerns expressed by Council about the City's ability to effectively address code violations. A draft of

the revised language has been completed and has been agendized as a discussion item with the City Council at this meeting. Staff anticipates bringing this forward for action at the October City Council meeting.

6. *City of Gridley Sphere of Influence Amendment Request:*

The City of Gridley has completed an administrative draft of its Sphere of Influence Plan and amendment request and has submitted such to LAFCO staff for an initial content review. Upon submittal of an official application to LAFCO for formal consideration of this document, Planning staff will advise the Council on its contents and the nature of the City of Gridley's request. Preliminary information suggests that the City of Gridley is seeking to expand its Sphere of Influence to match the City's proposed growth areas outlined in the General Plan. This would result in an expansion of the City's SOI to a point south of Chatfield Avenue within the Area of Concern as established by the Cities of Biggs and Gridley.

7. *AB32/SB375 – Vehicle Greenhouse Gas Emissions Reduction Target Setting:*

Pursuant to AB32 and the Sustainable Communities and Climate Protection Act of 2008, the California Air Resource Board (CARB) was charged with setting emissions targets for passenger vehicles in California. On August 9<sup>th</sup>, CARB released the draft target standards for the Butte County region. The yet-to-be-approved target for Butte County is a *per capita* **increase** of 1% for the years 2020 and 2025. This target, if adopted, will become the standard for the entire county and BCAG as the region prepares its required Sustainable Communities Strategy (SCS) plan. This standard represents a very significant change from the initial target standard of a 21% decrease by 2025 and a 36% decrease by 2035. Acting on behalf of its member agencies, BCAG will be preparing Butte County's SCS plan as part of their 2011-2012 work plan.

8. *Butte County General Plan Update - Adoption:*

After almost three decades of attempts, the Butte County Board of Supervisors will hold a special BOS meeting on September 29, 2010 to certify the Butte County General Plan Update EIR and approve the draft Butte County General Plan and Action Plan. The Butte County Planning Commission held a meeting on September 9<sup>th</sup> to make a recommendation to the Board on this item and recommended adoption of the Plan to the BOS. The County is still working on the adoption of a new Zoning Ordinance to support the General Plan with a target completion date in mid-2011. Staff has been communicating with the County to verify that the changes in the County's land use plan around Biggs have been incorporated as previously discussed.

9. *NEW California Building Codes:*

In January of 2010, Cities and Counties in California will be adopting the new California Building Codes. This package of codes is inclusive of all building, structural, mechanical, plumbing, electrical and other existing codes and now includes the California Green Building Code which mandates new building requirements for energy conservation, water efficiency and is permissive of numerous other "green" building features. The state has required that cities and counties adopt the new 2010 California Green Building Code and allows for cities and counties to adopt more stringent measures dealing with green building. At this time, it is the intent of the Butte County Building Department only to adopt the base-level code requirements. As the City of Biggs' Building Department, all new

construction in Biggs will be required to conform to the new building code standards. Planning staff is working on getting information from the County to post in the Planning Department to inform interested parties of the new requirements.

10. *Burke-Trent Property – Code Enforcement:*

Pursuant to direction from the City Administrator, Planning and Code Enforcement staff has been actively working on multiple efforts in regard to the dwelling located at XXX 8<sup>th</sup> Street (Burke-Trent). Specifically, staff has prepared a comprehensive list of the minimum requirements for the property to be considered to be in compliance with the Biggs Municipal Code requirements. At this time, staff will be seeking to have the property owner and City enter into an Abatement Agreement similar in nature to the agreement utilized for the Genn-Brown home to provide for abatement of the existing nuisance conditions on the property. Additionally, staff has proactively sought estimates from numerous demolition contractors on the cost of the removal of the existing structures on the site (dwelling and garage). To date, staff has contact 5 five demolition contractors for which 2 non-binding cost estimates have been received. Those declining to provide an estimate of demolition cost have generally indicated concerns dealing with asbestos pipes and siding, lead paint, and past use of the home as a suspected location of illegal activity. Staff has confirmed the presence of lead pipes and asbestos containing building materials thus potentially making this a designated hazardous site clean-up. Those contractors who have been willing to provide general estimates of cost have indicated that removal and disposal of the structures on the site could cost somewhere in the range of \$9-11,000.

11. *6<sup>th</sup> Street Bridge NEPA compliance:*

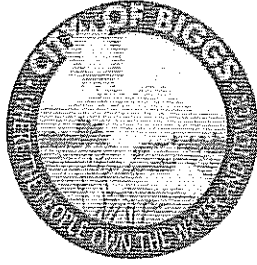
PMC has completed the initial work on the required Project Environmental Study (PES) forms for submittal to California Engineering Company and Caltrans for the Sixth Street Bridge replacement project. The initially required information was submitted to Caltrans on Wednesday, September 01, 2010. At this time, Caltrans project staff will review the submitted materials and provide input on the necessary subsequent studies and work effort needed to comply with NEPA requirements.

12. *Proposition 84 Grant Application:*

The Butte County Association of Governments (BCAG) has submitted a grant application on behalf of its member agencies for funding to assist in the preparation of the required Sustainable Communities Strategies plan. The City of Biggs, along with all other member agencies, has prepared a letter supporting the BCAG grant application. If successful, the grant would provide the City with \$5,000 to be used towards reimbursing the City for staff costs associated with work necessary to support BCAG's preparation of the regional plan.

Attachments:

- A. Letter of Support – Williamson Act removal
- B. BCAG Memo – Draft Passenger Vehicle GHG Emission Targets
- C. Letter of Support – Proposition 84 Grant (BCAG)
- D.



## City of Biggs

465 C Street  
Biggs, CA 95917

Date: August 19, 2010

To: Claudia Stuart, Principal Planner  
Butte County Development Services Department  
Oroville, CA 95965

RE: **Letter of Support for a Request by Mr. John Ochipinti seeking an immediate cancellation of an existing Williamson Act Contract Cancellation of Parcel APN 022-160-089**

Dear Ms. Stuart:

The purpose of this letter is to provide a letter of support for the recent request by Mr. John Ochipinti, property owner, seeking an immediate cancellation of an existing Williamson Act contract on land adjacent to the City of Biggs and described at Assessor's Parcel Number 02-160-089.

As Mr. Ochipinti notes in his cancellation request letter, there exists the potential for the use of a portion of the subject property for purposes that the City of Biggs believes would be in the public benefit and which would support the efforts of the local agricultural community in the furtherance of their agricultural production activities. Specifically, the landowner and the City of Biggs are currently involved in discussions with a third party to establish a green energy production facility that would utilize agricultural waste by-products (tree trimmings, bio-mass, rice straw, etc) on a portion of the subject site. This site was identified by the parties involved as a highly suitable project site because it is adjacent to the City's wastewater treatment facility and may be able to utilize city effluent in the bio-energy production process; is accessible off of a designated Arterial roadway and truck route; is located in an area designated on the City's draft Land Use Plan alternative diagram as Industrial and in such a location where the adjacent existing uses will be primarily non-residential in nature. Because the City is a local electric service provider, this potential project is viewed by the City of Biggs as one that could be an important asset to both the City and the local agricultural community. Additionally, the City of Biggs believes that the removal of the subject property from the Williamson Act at this time is reasonable in-light of the property owners request for non-renewal five-years ago and its position relative to the City limits of the City of Biggs. The site is bordered on two sides (south and east) by the existing incorporated area of the City and has been designated in the Planning Area of the City since 1997.

The City of Biggs appreciates your consideration of this matter and will look forward with interest in the proceedings on this action. Please feel free to contact Mr. Peter Carr, City Administrator (530) 868-0100 if you have any questions regarding the City of Biggs' support of this request.

Sincerely,

Peter Carr, City Administrator  
City of Biggs

cc: Pete Carr, City Administrator  
Honorable Mayor and Members of the City Council  
John Ochipinti, Property Owner



## ATTACHMENT #2

# CITY/TOWN/COUNTY PLANNING DIRECTORS GROUP MEETING

## Item #4

August 26, 2010

### DRAFT PASSENGER VEHICLE GREENHOUSE GAS EMISSION TARGETS FOR BUTTE COUNTY REGION

PREPARED BY: Brian Lasagna, Senior Planner

**ISSUE:** Pursuant to Senate Bill 375 (Steinberg), also known as the Sustainable Communities and Climate Protection Act of 2008, the California Air Resources Board (ARB) is responsible for developing passenger vehicle greenhouse gas (GHG) targets for the Butte County region by September 30th, 2010.

**DISCUSSION:** The California Air Resources Board (ARB) released the draft passenger vehicle greenhouse gas emission reduction targets for all 18 California Metropolitan Planning Organizations (MPOs), including Butte County, on August 9<sup>th</sup>, 2010. A draft per capita increase of passenger vehicle GHG of 1% for the years 2020 and 2035 has been established for the Butte County region which is consistent with BCAG's existing Regional Transportation Plan (RTP).

Once finalized, the GHG target is required to be met when preparing BCAG's 2012 RTP – Sustainable Communities Strategy (SCS). The SCS is a newly required element of the RTP document, established with the Governor's signing of Senate Bill 375 (Steinberg) in 2008. The goal of the SCS is to put forth a regional land use plan and transportation network which accommodates the region's projected housing need while meeting the GHG target.

In recognizing the existing data and modeling limitations of the six smallest MPOs, including BCAG, and the small fraction of the State's total population and emissions contained within these regions, ARB has proposed targets which reflect the most recently adopted RTP's for each. ARB has committed to resetting the targets in 2014 once improved modeling tools and data are available.

As presented at the groups meeting in April 2010, BCAG staff prepared an informational report for ARB which showed the potential to meet a 0% increase for 2020 and a 1%

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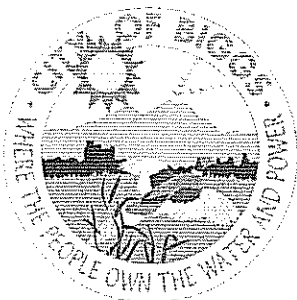
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reduction for 2035 using existing data and modeling capabilities along with the local jurisdictions newly developed land use plans. Please note, the figures contained in the original BCAG report calculated a potential reduction of 21% for 2020 and 36% for 2035 based on the use of the most recent ARB tools. ARB later requested that these tools, which incorporated long term improvements in vehicle technology and fuels, not be used for target setting.

A complete copy of ARB's staff report describing the proposed targets, along with links to each MPOs target analysis, can be viewed at the following website:  
<http://www.arb.ca.gov/cc/sb375/sb375.htm>

ARB is scheduled to consider approval of the final passenger vehicle GHG emission targets at its September 23, 2010 meeting. Statute requires that final targets be provided to MPOs not later than September 30, 2010.





## City of Biggs

465 C Street /  
P.O. Box 307  
Biggs, CA 95917  
[www.biggs-ca.gov](http://www.biggs-ca.gov)

August 27, 2010

Mr. Jon Clark, Executive Director  
Butte County Association of Governments  
2580 Sierra Sunrise Terrace, Suite 100  
Chico, CA 95928

Subject: City of Biggs – Letter of Intent to Participate

Mr. Clark,

Please accept this as the City of Biggs' letter of intent to participate as a partner in the Butte County Association of Government's proposal for Proposition 84 Planning Grant funds under Focus Area #2 – Regional Senate Bill 375 Plus. The City of Biggs supports the cooperative effort in developing the 2012 Regional Transportation Plan (RTP), Sustainable Communities Strategy (SCS), and Regional Housing Needs Allocation (RHNA) for the Butte County area.

We recognize that this effort will, for this first time in the region, integrate the development of the RTP, SCS, and RHNA and align regional land use, affordable housing, resource protection, and transportation planning in a fashion that meets passenger vehicle greenhouse gas targets established by the California Air Resources Board.

As the land use authority for the City, we along with our partner BCAG member agencies, realize that we will play a vital role in developing and implementing an integrated land use and transportation strategy for the region, as required by Senate Bill 375. Biggs will also be integral in preparing the RHNA, which we shall have the responsibility of executing through the development of our jurisdictions housing element.

In these uncertain financial times, all local governments are faced with the financial challenges needed to meet local, regional, state, and federal planning objectives. A fully coordinated effort in developing the RTP, SCS, and RHNA furthers our respective goals to meet the regions' passenger vehicle greenhouse gas target.

Sincerely,

Peter R. Carr, City Administrator  
City of Biggs

Cc: Mayor and Members of the City Council